

Amendments to the Specification

Please delete the paragraphs found in lines 5-10 on page 1.

Please replace the paragraph beginning at page 1, line 20, with the following rewritten paragraph:

--In 1990, I selected five trees of *Amelanchier laevis* from a particularly good crop of trees of this species growing in a cultivated area of a nursery in Boring, OR. These trees were grown from open pollinated seed of the species *Amelanchier laevis*. These five selected trees were chosen based on dormant form as being among the largest and straightest of the crop of over 1000 trees. I planted these trees in an evaluation and display area at the nursery in Boring, OR. I observed the growth of these trees for several years, and by 1993, it was clear that one of these five trees was distinctly straighter and more upright in form with more upright branching and a more dominant central leader. I also ~~notie~~ noticed that this one tree possessed foliage that appeared deeper green and slightly more glossy than the other four trees. At this time, I selected this single tree, 'JFS-Arb', and removed the other four trees to allow my new cultivar room to grow to mature size. As I continued to observe and evaluate this tree, I became convinced that it possessed superior characteristics that differentiated it from the species. I directed asexual propagation of this selection in small test plots at nursery growing grounds in Canby, OR and Milton-Freewater, OR by chip budding onto both *Crataegus* understock and *Amelanchier laevis* seedling understock. Observation of these propagated plants has shown that the 'JFS-Arb' cultivar reproduces true to type in successive generations of asexual reproduction. ~~has a unique combination of characteristics that have proven fixed in asexually propagated progeny, namely,~~ ~~an~~ The new variety has an unusually straight trunk, a strong central leader, upright oriented branching and dark green, slightly glossy, summer foliage.--

Please replace the paragraph beginning at page 2, line 21, with the following rewritten paragraph:

--Fig. 4 is a close up of a branch of my new variety showing leaves with their green foliage color and also illustrating some immature fruit.--

Please replace the paragraphs beginning at page 3, line 7, with the following rewritten paragraphs:

-- Seed parent: An unnamed tree of *Amelanchier laevis*.

Pollen parent: ~~Open-pollinated, Unknown~~, believed to be an unnamed tree of *Amelanchier laevis*.--

Please replace the paragraph beginning at page 3, line 24, with the following rewritten paragraph:

--Primary Branches: Upright growth habit; forming an upright oval shaped crown. At about 16 years of age, the primary branches on the original tree varied from 4.5 m to 6.0 m in length and 7.8 cm to 10.5 cm in diameter at their bases; they averaged 5.4 m in length and 9.2 cm in diameter.--

Please replace the paragraph on page 4, line 25, with the following rewritten paragraph:
Greyed-orange (RHS 176C 176B to 176D).

Please replace the paragraph beginning at page 5, line 14, with the following rewritten paragraph:

--Size: Flowers average 15 mm wide after emerging from bud, then petals reflex, expanding the flower to 46 mm in diameter. Flower depth averages 18 mm when flowers first open, then as the petals reflex, the flowers flatten until they average only 5 mm deep.--

Please replace the paragraph beginning at page 5, line 25, with the following rewritten paragraph:

--Opened flower: Petals are white (RHS 155D), the calyx is green (RHS 143B), ~~and the pedicel and peduncle are green (RHS 146A).~~

~~Calyx green (RHS 143B).~~--

Please replace the paragraph beginning at page 5, line 28, with the following rewritten paragraph:

--Petals: Five petals per flower; 21 mm long; 4 mm wide. Petals are long oblanceolate to strap-shaped, with a rounded apex, an acute base, and smooth margins.--

Please replace the paragraph beginning at page 5, line 29, with the following rewritten paragraph:

--Sepals: Five sepals per flower, green (RHS 143A to 143B). Sepals acute, 2 mm long, 1 mm wide. The sepal margin is smooth and heavily covered with a fine pubescence.--

Please replace the paragraph beginning at page 6, line 2, with the following rewritten paragraph:

-- Pistil: One pistil per flower. Length about 5mm, stigma separated into five branches over one-half of its length. Ovary inferior, five syncarpous carpels, two ovules per carpel.--

Please replace the paragraph beginning at page 6, line 6, with the following rewritten paragraph:

--Pedicel: 10-35 mm in length, depending on the position on the raceme, with longer pedicels at the base of raceme. 0.8 mm in width, color is yellow-green (RHS 146A to 152B).--

Please replace the paragraph beginning at page 6, line 9, with the following rewritten paragraph:

--Peduncle: 8 to 12 mm long, 1 to 2 mm wide, color is composed of a cast of greyed-purple (RHS 183A) over a base color of yellow-green (RHS 146A). Under cool, cloudy weather conditions at the time of bloom, the greyed-purple color cast is very noticeable, but is insignificant under warm sunny conditions.--

Please replace the paragraph beginning at page 6, line 13, with the following rewritten paragraph:

--Flowering date: In Boring, Oregon (2003 data). First bloom April 4, 2003; Peak bloom April 10, 2003, End of bloom April 19, 2003. Individual flowers last an average of 10 days under typical conditions in Boring, OR.

Please replace the paragraph beginning at page 7, line 7, with the following rewritten paragraph:

--Comparison to most similar cultivar, 'Majestic' U.S. Plant Patent Number 7,203 PP7,203--